



September 27, 2022

**VIA ECF**

Honorable Madeline Cox Arleo  
United States District Court  
District of New Jersey  
Martin Luther King Federal Building  
50 Walnut Street  
Newark, New Jersey 07101

Re: *Zhao, et al. v. Volkswagen Group of America, Inc., et al.*  
Case No. 2:21-cv-11251-MCA-LDW

Dear Judge Arleo:

The Parties respectfully submit this joint letter in response to the letter submitted by objectors Nicholas R. Dwayne and Julie A. Mitchiner requesting: (1) leave to appear at the Final Fairness Hearing remotely; and (2) leave to file a reply in further support of their objection on or before October 7, 2022 (ECF No. 54).

The Parties take no position regarding the objectors' request to appear remotely at the Final Fairness Hearing, and respectfully leave that to the Court's discretion.

However, their request to submit a reply in response to the Parties' responses to their objections should be denied. Mr. Dwayne and Ms. Mitchiner stated their position in their lengthy objection filed on September 1, 2022, and pursuant to the Court-Ordered Schedule (ECF No. 36), Class Counsel and Defendants' counsel filed their responses thereto on September 16, 2022 (ECF Nos. 48, 49 and 50). The schedule does not permit further submissions, nor is there a legitimate basis for these objectors to file further submissions, and any such matters can, if the Court deems appropriate, be addressed at the Final Fairness Hearing.

In the event these objectors are permitted to file a reply, then the Parties respectfully request that such a reply be filed no later than October 4, 2022, and that, in fairness, the counsel for Parties be permitted to file any replies to that submission by October 11, 2022.

Thank you for your consideration.

Respectfully submitted,

By: /s/ Homer B. Ramsey

/s/ Matthew D. Schelkopf

Michael B. Gallub, Esq. (*pro hac vice*)  
Homer B. Ramsey, Esq.  
Brian T. Carr, Esq. (*pro hac vice*)  
**HERZFELD & RUBIN, LLC**  
354 Eisenhower Parkway  
Livingston, New Jersey 07039  
Telephone: (973) 535-8840  
mgallub@herzfeld-rubin.com  
hramsey@herzfeld-rubin.com  
[bcarr@herzfeld-rubin.com](mailto:bcarr@herzfeld-rubin.com)

*Attorneys for Defendants*  
*Volkswagen Group of America, Inc.,*  
*Volkswagen Aktiengesellschaft, and Audi*  
*Aktiengesellschaft*

Matthew D. Schelkopf  
Joseph B. Kenney  
**SAUDER SCHELKOPF LLC**  
1109 Lancaster Avenue  
Berwyn, PA 19312  
(T): (610) 200-0581  
(F): (610) 421-1326  
mds@sstrialawyers.com  
[jbk@sstrialawyers.com](mailto:jbk@sstrialawyers.com)

Bonner C. Walsh  
**Walsh PLLC**  
1561 Long Haul Road  
Grangeville, ID 83530  
(T): (541) 359-2827  
(F): (866) 503-8206  
bonner@walshpllc.com

*Attorneys for Plaintiffs*

**[PROPOSED] ORDER**

The Court hereby denies the request of Nicholas R. Dwayne and Julie A. Mitchiner to submit a reply brief in further support of their objection.

SO ORDERED:

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Hon. Madeline Cox Arleo  
United States District Judge